

1 PETER C. BERNHARD
2 Nevada Bar No. 734
3 LISA J. ZASTROW
4 Nevada Bar No. 9727
5 ANTHONY J. CELESTE, ESQ.
6 Nevada Bar No. 8776
7 KAEMPFER CROWELL RENSHAW
8 GRONAUER & FIORENTINO
9 8345 West Sunset Road, Suite 250
10 Las Vegas, Nevada 89113
11 Telephone: (702) 792-7000
12 Fax: (702) 796-7181
13 pbernhard@kcnvlaw.com
14 lzastrow@kcnvlaw.com
15 acelete@kcnvlaw.com
16 **Attorneys for Defendant**
17 **NATIONAL EWP, INC.**

18 UNITED STATES DISTRICT COURT

19 DISTRICT OF NEVADA

20 BOART LONGYEAR, INC.,

21 Case No. 2:11-cv-02106-JCM-RJJ

22 Plaintiff,

23 vs.

24 NATIONAL EWP, INC.; SEAN
12 ARCHIBALD; CRAIG BOWSER; JEFF
13 FERGUSON; ZACH McMILLAN; JACOB
14 MULBERRY; EZRA SCHILLING; and
15 CORY SPENCER,

16 Defendants.

**ORDER DENYING PLAINTIFF'S
MOTION FOR PRELIMINARY
INJUNCTION**

17 Plaintiff BOART LONGYEAR, INC.'s Motion For Preliminary Injunction having come
18 before the Court, the Honorable Judge James C. Mahan presiding, on June 14, 2012 at 10:30 a.m.
19 in Courtroom 6A, Plaintiff BOART LONGYEAR, INC. being represented by Bruce C. Young,
20 Esq. and Noel E. Eidsmore, Esq. of the law firm Littler Mendelson (hereinafter "Plaintiff") and
21 Defendant NATIONAL EWP, INC. being represented by Lisa J. Zastrow, Esq. and Anthony J.
22 Celeste, Esq. of the law firm Kaempfer Crowell Renshaw Gronauer & Fiorentino (hereinafter
23
24

1 "Defendant"), the Court having considered the pleadings and papers on file in this matter, the
2 arguments of counsel, and otherwise finding good cause, rules as follows:

3 IT IS HEREBY ORDERED, ADJUDGED and DECREED that Plaintiff is unlikely to
4 succeed on the merits of its First Amended Complaint and therefore the Motion For Preliminary
5 Injunction is hereby denied.

6 IT IS SO ORDERED.

7 DATED July 5, 2012.

8 
9 UNITED STATES DISTRICT JUDGE

10
11 Respectfully submitted by

12 KAEMPFER CROWELL RENSHAW
13 GRONAUER & FIORENTINO

14 /s/ Lisa J. Zastrow
15 PETER C. BERNHARD (Nevada Bar No. 734)
16 LISA J. ZASTROW (Nevada Bar No. 9727)
17 ANTHONY J. CELESTE (Nevada Bar No. 8776)
18 8345 West Sunset Road, Suite 250
19 Las Vegas, Nevada 89113
20 **Attorneys for Defendant**
21 **NATIONAL EWP, INC.**

22 KAEMPFER CROWELL RENSHAW
23 GRONAUER & FIORENTINO
24 8345 West Sunset Road
Suite 250
Las Vegas, Nevada 89113

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the 29th day of June, 2012, I electronically filed the foregoing **ORDER DENYING PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION** using the court's CM/ECF system which will send notification to the parties and/or counsel in this matter.

/s/ Vickie Campbell
an employee of
Kaempfer Crowell Renshaw Gronauer & Fiorentino